IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE

CIVIL APPLICATION NO.683 OF 2006

IN

WRIT PETITION NO.8035 OF 2005

Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and registrar's Orders.	Court's or Judge's Orders

Mr.S.B.Shetye for applicant
Mr.V.R.Shetty for respondent

CORAM : P.V.KAKADE, J.

DATE : 4TH APPRIL,2006

P.C.:

1. Hear both sides.

2. This is an application to bring the legal heirs of original respondent who are brought on record. The advocate for the respondent nos.1a and 1b, who are legal heirs of original respondent, submits that the respondent died prior to the filing of petition. However, taking into

consideration the facts, I am satisfied that the delay is explained and hence the application is made absolute in terms of prayer clauses (a) and (b) and stands disposed of with no order as to costs.

3. At this stage the learned counsel for the respondents brings to my notice that two more legal heirs are required to be brought on record i.e. children of deceased respondent viz. Ganesh and Rohini. The copy of the Ration Card also shows that one Rajani was also second wife of the original respondent. Since her name appears in the Ration Card as wife of respondent should also be brought on record, for which purpose the applicant is given liberty to file fresh application. Amendment to be carried out within two weeks.

4. In the meantime ad-interim relief granted to continue.